

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

State of Minnesota,
by Michael Campion, its
Commissioner of Public Safety,

File No. CV-08-603 (DWF/AJB)

Plaintiff,

and

Robert J. Bergstrom, Craig A.
Zenobian, Shane M. Steffensen, and
Christopher D. Jacobsen,

Plaintiffs-Intervenors,

vs.

CMI of Kentucky, Inc.,
a Kentucky corporation,

Defendant.

**NOTICE OF HEARING ON
PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT
AND A PERMANENT INJUNCTION,
OR IN THE ALTERNATIVE
FOR A PRELIMINARY INJUNCTION**

TO: PLAINTIFF-INTERVENORS Robert Bergstrom, Craig Zenobian, Shane Steffensen, Christopher Jacobsen, and their attorneys, John Gores of GORES LAW OFFICE, 7091 Highway 65 N.E., Suite 201, Fridley, Minnesota, and Charles A. Ramsay and Daniel J. Koewler of RAMSAY & ASSOCIATES, 2780 Snelling Avenue North, Suite 330, Roseville, Minnesota; and DEFENDANT CMI of Kentucky, Inc., and its attorneys, William A. McNab and David M. Aafedt of WINTHROP & WEINSTINE, P.A., 225 South Sixth Street, Suite 3500, Minneapolis, Minnesota.

PLEASE TAKE NOTICE that on June 4, 2009, at 9:00 a.m., in Courtroom 7C at the Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota, before the Honorable Donovan W. Frank, Judge of District Court, a hearing will be held for Plaintiff State of Minnesota's motion for partial summary judgment and a permanent injunction, or in the alternative for a preliminary injunction,

with respect to Counts III and IV of the Complaint. Plaintiff's motion is based upon the files, records, pleadings in the case, arguments of counsel, and the memoranda of law to be filed in accordance with the Amended Pretrial Scheduling Order dated March 5, 2009.

Dated: March 13, 2009

Respectfully submitted,

LORI SWANSON
Attorney General
State of Minnesota

s/ **Emerald Gratz**

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